

REMARKS

Claim 3 is pending in this application. By this Amendment, claim 3 is amended and claims 1-2, 4-6, 13 and 14 are canceled without prejudice to or disclaimer of the subject matter disclosed therein. Reconsideration of the application is respectfully requested.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments:

(a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration as the amendments amplify issues previously discussed throughout prosecution; and (c) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

Applicants thank the Examiner for the indication that claim 3 contains allowable subject matter.

The Office Action rejects claims 1-6, 13 and 14 under 35 U.S.C. §103(a) over Birgmeir (U.S. Patent No. 5,216,521) in view of Noguchi (U.S. Patent No. 6,774,938); claims 4 and 6 under 35 U.S.C. §103(a) over Birgmeir in view of Noguchi, and further in view of Tamura (U.S. Patent No. 6,040,860); and claim 5 under 35 U.S.C. §103(a) over Birgmeir in view of Noguchi, and further in view of Terashita (U.S. Patent No. 4,641,959). The rejections are respectfully traversed.

The cancellation of claims 1-2, 4-6, 13 and 14 renders their rejection moot. Accordingly, withdrawal of the rejections of the claims under 35 U.S.C. §103(a) is respectfully requested. Moreover, claim 3 is now written in independent form and, as stated by the Office Action, is allowable.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claim 3 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



Mario A. Costantino
Registration No. 33,565

Tarik M. Nabi
Registration No. 55,478

MAC:TMN/tje

Attachment:

Petition for Extension of Time

Date: September 8, 2005

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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